

REMARKS

In the outstanding Official Action, claims 3, 5, 10, 12, 17 and 19 were deemed to be allowable if placed in independent form, while claims 1-2, 4, 7-9, 11, 14-16 and 18 were rejected under 35 USC 102(b) as being anticipated by Cherry et al, with claims 6, 13, and 20 being rejected under 35 USC 103(a) as being unpatentable over Cherry, all for the reasons of record.

In response, independent claims 1, 8 and 15 are herewith amended in order to more particularly and precisely recite the novel and unobvious features of the instant invention, and it is respectfully submitted that these independent claims, and the remaining claims depending therefrom, are now clearly patentably distinguishable over the cited and applied reference for the reasons detailed below.

As taught by Cherry, and as clearly recognized in the Action, Cherry discloses a system in which a small number (such as 2) discrete alternative pulse rates are applied, and in which a two-level output signal is generated as a function of whether a high-detail or low-detail picture signal is being examined.

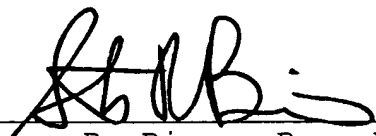
In the instant application, on the contrary, the sample frequency is modulated by or dependent upon the spatial frequency of the sample content, with a higher sampling frequency being employed for image content having higher spatial frequencies and a

lower sampling rate being employed for image content having lower spatial frequencies (see inter alia, page 8 of the instant specification). Accordingly, independent claims 1, 8 and 15 are herewith amended in order to more particularly and precisely recite that the variable sampling rate is selectable over a continuous range as a function of the highest spatial frequency within the image content. This structure and method is clearly distinguishable over, and is in fact a substantial improvement over, the simple two-level system as disclosed in Cherry. Furthermore, the instant invention is submitted to be a substantial commercial improvement over Cherry in that a more precise and sophisticated adjustment of the sampling rate as a function of the spatial frequencies within the image content of the analog video signal can be obtained.

In view of the foregoing, it is respectfully submitted that independent claims 1, 8 and 15, as herein amended, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied reference. Accordingly, allowance of the instant application is respectfully submitted to

be justified at this time, and favorable consideration is earnestly solicited.

Respectfully submitted,


By 
Steven R. Biren, Reg. No. 26,531
Attorney
(914) 333-9630

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

On 2/7/05

By 
Steven R. Biren, Reg. No. 26,531